

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii 96813

July 22, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

(Kauai)

Consent to Assign General Lease No. SP-104, Kathryn
Cassel, Assignor, to Kathryn Cassel and James Cassel,
Assignee

APPLICANT:

Kathryn Cassel, Assignor, Kathryn Cassel and James
Cassel, Assignee.

LEGAL REFERENCE:

Section 171-36(a)(5), Hawaii Revised Statutes, as amended.

LOCATION:

Lot 18, Puu Ka Pele Park, Waimea (Kona), Kauai, Tax Map Key:
(4) 1-4-002:025, as shown on the attached map labeled
Exhibit A.

AREA:

1.05 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CHARACTER OF USE:

Recreation - residence.

ITEM E3

TERM OF LEASE:

20 years, commencing January 1, 2009, and expiring on December 31, 2029. There is one rental reopening scheduled after ten years.

ANNUAL RENTAL:

\$4,000.00.

CONSIDERATION:

\$0.00

RECOMMENDED PREMIUM:

None.

DCCA VERIFICATION:

N/A because all persons involved are individuals and not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant/assignee shall prepare and submit fully executed assignment of lease.

REMARKS:

Kathryn Cassell held the previous lease covering the property.

Act 223 (2008) and board action directed staff to negotiate new leases with existing permit holders so the new lease was issued to Kathryn Cassel who now wishes to assign to Kathryn Cassel and James Cassel.

Lessee is in compliance with all lease terms and conditions. There have been no prior defaults.

Assignee has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Rent re-opening is not scheduled until after the first ten years of the lease. There are no outstanding rental reopening issues.

July 22, 2009

RECOMMENDATION:

That the Board consent to the assignment of General Lease No. SP-104 from Kathryn Cassel, Assignor, to Kathryn Cassel and James Cassel, Assignee, subject to the following:

1. No premium to be charged;
2. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
3. Review and approval by the Department of the Attorney General; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

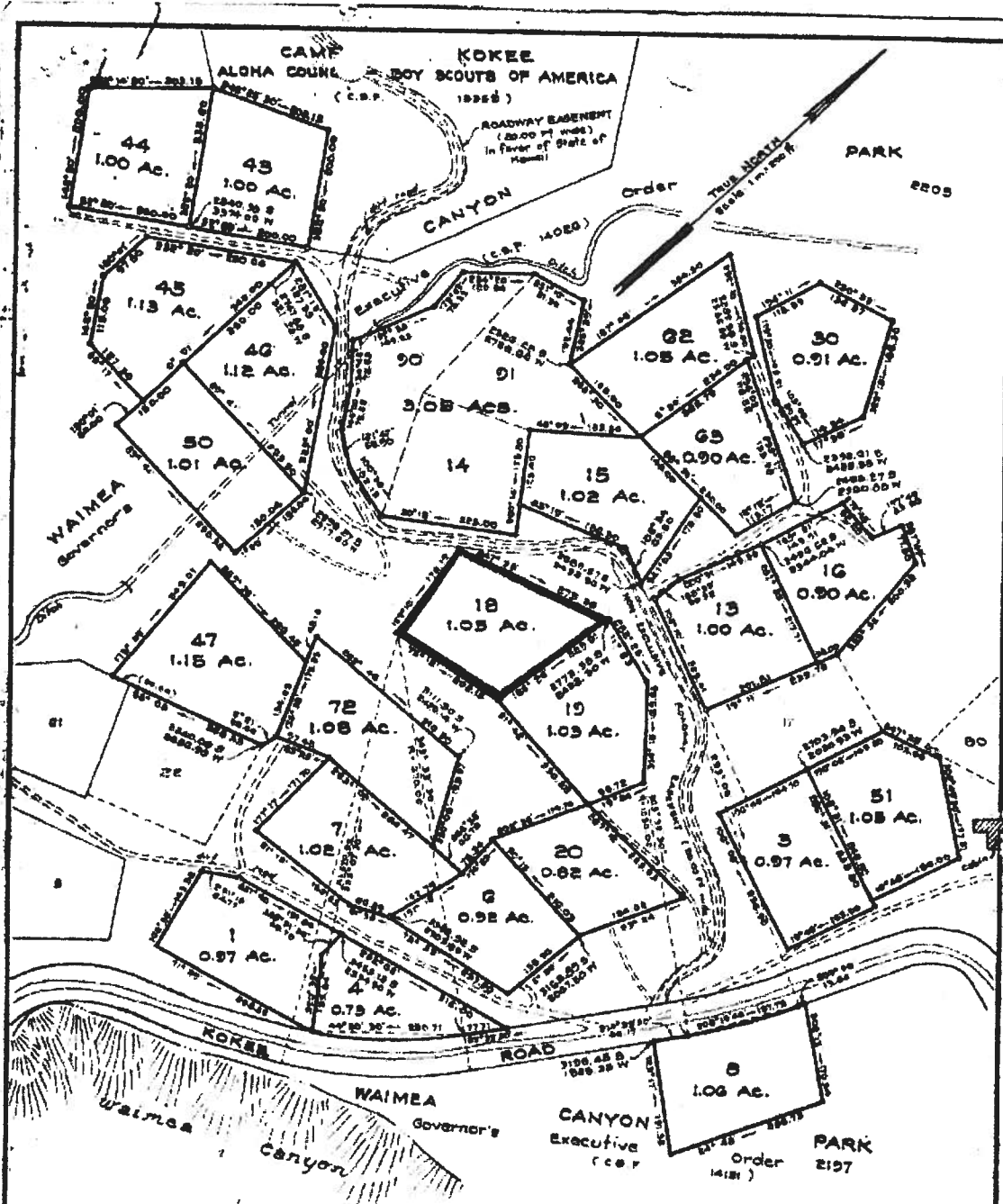


Daniel S. Quinn
State Parks Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



(Revised November 1927)

PUU KA PELE PARK LOTS

LOTS 1, 3, 4, 6, 7, 8, 13, 14, 15, 16, 18, 19,
20, 30, 43, 44, 45, 46, 47, 50, 51, 62, 63,
72, 90 AND 91

Waimea (Kona), Kauai, Hawaii
Scale: 1 inch = 200 feet

JOB No. K-3711
C. B. L. M. P. L. (Kona)

All lot corners marked with pipes
October 1927, A.T., A.J. and J.G. Jr.
Coordinates referred to "MALE 2" A

TAX MAP 1-4-08
Sheet 1 of 2 sheets
FILE FOLDER 2

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

EXHIBIT A

C.S.O. Nov. 27, 1927

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE PARKS DIVISION
POST OFFICE BOX 821
HONOLULU, HAWAII 96809

January 27, 2009

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL V. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAOIOWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Kathryn M. Cassel
P.O. Box 36
Makaweli, HI 96769

Dear Lessee:

* Please send us a copy of the
proposed lease assignment document.
Thanks! Katie Cassel

We enclose a copy of the fully executed lease covering this property. Thank you for your cooperation.

A number of persons told us they would like to transfer an interest in the lease. The transfers mentioned included a complete transfer to wholly new lessees, adding a new lessee, and changing the ownership of all or part of the lease to a corporation or trust. Any such transfer must be submitted to and approved by the Board of Land and Natural Resources.

Any lessee wishing to transfer all or a portion of the lease should submit the following information, along with a copy of the proposed lease assignment document: *

- 1) The name(s) of the present lessee(s), *Kathryn Cassel*
- 2) The name(s) of the proposed new lessee(s), *James and Kathryn Cassel*
- 3) The reason for the proposed transfer, and *Adding husband's name to lease*
- 4) If any money or consideration of any kind is being paid for the transfer, the amount of money or consideration. *No money or consideration of any kind*

We will submit the request to the Board as soon as possible.

Please note the lessee(s) on the lease are only those persons identified on the original, unmodified page 1 of the document. A few persons wrote in more names or had additional persons sign the lease. No such action affects the identity of the lessee(s). The only way to obtain an approved transfer of the lease or any interest in it is with the approval of the Board.

Sincerely,

DANIEL S. QUINN
State Parks Administrator

Enclosure

DEPT OF LAND &
NATURAL RESOURCES

RECEIVED
STATE PARKS DIV
FEB - 3 10 55

U
RE General Lease No SP-0104

4-4-09

Aloha -

Please consider changing the lessee on my lease to include my husband's name.

present lessee: Kathryn Cassel
name of proposed new lessee: James & Kathryn Cassel
Reason: Adding husband's name to lease
No money or consideration of any kind is involved.

Enclosed are copies of the pages of the lease that have my name & signatures on them. Hopefully that will suffice, but if you want a copy back of the entire lease assignment document please let me know & I'll send it.

Mahalo!

Kathryn Cassel

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STATE PARKS DIV

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